Application Serial No. 09/982,530
Atty. Docket No. 60001.0097US01/MS172025.1

REMARKS

In response to the Office Action mailed October 23, 2006, Applicants request reconsideration in view of the above claim amendments and the following remarks. Claims 1 and 5 have been amended. Claims 1-8, 10, 11, 19 and 20 are currently pending in the application and were rejected. Applicants hereby address the rejections in turn.

Substance of Interview Summary

A telephonic interview occurred between the undersigned, Murrell Blackburn and Examiner David E. England on Thursday, December 21, 2006. The interview covered the rejections to claims 1, 3, and 4 under 35 U.S.C. 103(a) as being unpatentable over Terry, U.S. Patent No. 5,732,275 (hereinafter "Terry") in view of Gruyer et al., U.S. Application Publication No. 2002/0112048 (hereinafter "Gruyer") in further view of Raveis, JR., U.S. Application Publication No. 2001/0047282 (hereinafter "Raveis"). The interview also covered the rejection to claim 5 under 35 U.S.C. §103(a) as being unpatentable over Terry, Gruyer and Raveis as applied above, and further in view of Burgess et al., U.S. Patent No. 5,796,633 (hereinafter "Burgess").

The undersigned pointed out to the Examiner that Terry and Gruyer in view of Raveis does not teach or suggest renaming the logging file therein preventing duplication of the logging file names at the server as recited in claim 1. Raveis merely discloses data creation and maintenance. The reference Ploetz relied on in the rejection of claim 8 merely discloses renaming files with the date the file was received which will not differentiate files received on the same day. Thus, the undersigned submitted that at least because Terry in view of Gruyer, Burgess, Jawahar, & Ploetz does not disclose renaming the logging file therein preventing duplication of the logging file names at the server, amended independent Claims 1 and 5 are allowable over the cited references.

The Examiner indicated that the amendment and remarks would likely overcome the prior art of record but would require further search to determine patentability. This written response is thus, submitted in follow-up to the telephonic interview for consideration by the Examiner, as it is believed to have placed the application in condition for allowance. Should the Examiner send

another Office Action based on new art, Applicants respectfully request another interview to determine what claim amendments would be sufficient for a notice of allowance.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 3 and 4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Terry, U.S. Patent No. 5,732,275 (hereinafter *"Terry"*) in view of Gruyer et al., U.S. Application Publication No. 2002/0112048 (hereinafter *"Gruyer"*) in further view of Raveis, JR., U.S. Application Publication No. 2001/0047282 (hereinafter *"Raveis"*). Claim 1 has been amended, and Applicants respectfully submit that the amendment overcomes this rejection and adds no new matter.

Amended Claim 1 recites a client-side system stored on a computer, wherein the client-side system logs, in a logging file, a plurality of user interactions performed in an application program module and periodically uploads the logging files to a remote server system for analysis of the logging file, wherein the client-side system comprises, *inter alia*, a script file in communication with the logging file, wherein the script file is operative to upload the logging file to the remote server system, wherein uploading the logging file to the remote server system comprises opening an Active Data Object (ADO) session with the remote server system, renaming the logging file therein preventing duplication of a logging file name at the remote server system and placing the logging file into an ADO database record set.

Terry discloses a method of detecting states that are activated by internal computer unit environment, which include: (a) monitoring the active window task manager for all identifiable window handles; (b) intercepting all operating system messages which are transmitted between third-party applications (programs) and the O/S; (c) detecting any change in a critical O/S file or third-party start-up file; (d) detecting any change in a critical aspect of the registry; (e) sending a inner-process communications message to any identifiable window handle which resides within the active task manager; (f) sending a real time forensic report to a monitor station defining the state of the detection. (*See Terry* column 4, lines 40-52.) *Terry* discloses a parallel thread that activates an independent 32 bit API DLL (505), to establish a "hook" into the actual O/S kernel.

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(See Terry column 13, lines 42-52.) *Terry* also discloses that a parallel thread is initiated to poll the status of the network connection and to ensure all proper pathways are established for the client application 110 to communicate with administrative application 115. *(See Terry* column 15, lines 39-42.)

Gruyer discloses a method and system for analyzing the detailed behavior of the users browsing the World Wide Web. The behavioral information may be provided to businesses interested in knowing how users behave when using certain web services. *(See Gruyer* paragraph [0009].) *Gruyer* also discloses that when a user 102 consents to being monitored, the user is enabled to download and install the agent software 106 on a user device 108, e.g., a workstation or a desktop computer. *(See Gruyer* paragraph [0009].)

Raveis discloses a system and method for managing real estate transactions over a distributed computer network. *(See Raveis* paragraph [0009].) *Raveis* discloses that Microsoft's Active Data Objects ("ADO") version 2.0 is used to establish database connectivity between the business objects and the database. *(See Raveis* paragraph [0197].)

The combination of *Terry, Gruyer* and *Raveis* fails to teach or suggest all of the limitations of amended Claim 1. The Office Action acknowledges that *Terry* and *Gruyer* fail to teach or suggest opening an Active Data Object (ADO) session and placing a logging file into an ADO database record set. In order to remedy the deficiency in *Terry* and *Gruyer*, the Office Action relies on *Raveis*. However, *Raveis* fails to remedy the deficiency of *Terry* and *Gruyer* in light of amended Claim 1.

Ravies fails to teach or suggest opening an Active Data Object (ADO) session with the remote server system, renaming the logging file to prevent duplication of the logging file at the remote server system and placing the logging file into an ADO database record set, as recited in amended Claim 1. While *Raveis* may mention that an ADO may be used to provide connectivity between business objects and a database, *Raveis* fails to contemplate renaming the logging file to prevent duplication of the logging file name at the remote server system because *Raveis* merely discloses data creation and maintenance. *Ravies* does not address file duplication at a remote

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server system; much less renaming a logging file to prevent such duplication at the remote server system. Accordingly, independent Claim 1 patentably distinguishes the present invention over the cited prior art, and Applicant respectfully requests withdrawal of this rejection of Claim 1. Dependent Claims 3 and 4 are also allowable at least for the reasons described above regarding independent Claim 1, and by virtue of their dependency upon independent Claim 1. Accordingly, Applicant respectfully requests withdrawal of this rejection of Claims 3 and 4.

Claims 2, 5, 6, 10, 11, 19 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Terry, Gruyer and Raveis as applied above, and further in view of Burgess et al., U.S. Patent No. 5,796,633 (hereinafter "Burgess"). Independent Claim 5 has been amended, and Applicants respectfully submit that the amendment overcomes this rejection and adds no new matter.

Amended Claim 5 is allowable over the cited art at least because it recites opening an Active Data Object (ADO) session with the remote analysis server, renaming the logging file to prevent duplication of the logging file at the remote server system, and placing the logging file into an ADO database record set. The Office Action acknowledges that *Terry* and *Gruyer* fail to teach or suggest opening an Active Data Object (ADO) session and placing a logging file into an ADO database record set. As described above with respect to amended claim 1, *Ravies* fails to teach or suggest opening an Active Data Object (ADO) session with the remote server system, renaming the logging file to prevent duplication of the logging file at the remote server system and placing the logging file into an ADO database record set, as recited in amended Claim 1. While *Raveis* may mention that an ADO may be used to provide connectivity between business objects and a database, *Raveis* fails to contemplate renaming the logging file to prevent duplication of the logging file at the remote server system because *Raveis* merely discloses data creation and maintenance. *Ravies* does not address file duplication at a remote server system; much less renaming a logging file to prevent such duplication at the remote server system.

Accordingly, independent Claim 5 patentably distinguishes the present invention over Terry, Gruyer, Raveis, and Burgess alone, or in combination, and Applicant respectfully requests withdrawal of this rejection of Claim 5. Should the Examiner send another Office Action based

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on new art, Applicants respectfully request another interview to determine what claim amendments would be sufficient for a notice of allowance.

Dependent Claims 2, 5, 6, 10, 11, 19 and 20 are also allowable at least for the reasons described above regarding independent Claims 1 and 5, and by virtue of their dependency upon independent Claims 1 or 5. Accordingly, Applicant respectfully requests withdrawal of this rejection of Claims 2, 5, 6, 10, 11, 19 and 20.

Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Terry, Gruyer, Raveis and Burgess and further in view of Jawahar et al., U.S. Patent No. 6,256,620 (hereinafter "Jawahar"). Claim 7 depends from amended claim 5 which is allowable over the cited art. Thus, claim 7 is also allowable at least for the reasons described above regarding independent Claim 5, and by virtue of its dependency upon independent Claim 5. Accordingly, Applicants respectfully request withdrawal of this rejection of Claim 8.

Claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over Terry, Gruyer, Raveis, Burgess and Jawahar as applied to claims 5-7 and further in view of Ploetz et al., U.S. Patent No. 6,738,798 (hereinafter "Ploetz"). Claim 8 also depends from allowable claim 5. Thus, claim 8 is also allowable at least for the reasons described above regarding independent Claim 5, and by virtue of its dependency upon independent Claim 5. The reference Ploetz also does not contemplate or suggest renaming the logging file with a random number as recited in claim 8. Actually, Ploetz only discloses renaming files with the year, month, and day the file is received. (See Ploetz, column 7, lines 52-55). Thus, multiple files can have the same name if the multiple files are received on the same day. Therefore, Ploetz does not disclose or even suggest random renaming as recited in claim 8. Accordingly, Applicants respectfully request withdrawal of this rejection of Claim 8.

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CONCLUSION

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Final Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Final Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.
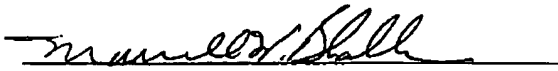
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,

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